EXPLANATION OF

37

# فروع الفقه

## Ibn al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allāh (سبحانه وتعالى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه وتعالى) keep him sincere, and continue to shower his life and Da'wah with His blessings, and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allāh make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allāh facilitate the completion of this Sharh and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

SHAYKH AHMAD MUSĀ JIBRĪL

بسم الله الرحمن الرحيم

الحمد لله رب العالمين، والصلاة والسلام على أشرف الأنبياء والمرسلين، سيدنا ونبينا محمد،

وعلى آله وصحبه أجمعين، اما بعد:

## Recap

In the last two classes we began on the topic of the Nullifiers of Ghusl, the Causes of Ghusl, and that was after we completed the Nullifiers of Wudū'. The author رحمه الله تعالى said,

وَفِي الطَّهَارَةِ الْكُبْرَىٰ سِتَّةٌ

"For the major impurity, there are six nullifiers." The first one is الْمَنِيُّ الدَّافِقُ بِلَذَّةٍ, the ejaculation of sperm, the discharging of sperm in strength, combined with lust and desire. We divided that into two subcategories: ejaculation of sperm while one is asleep and then while one is awake, and we took the Masā'il under each of those.

## Cause #2 – التقاء الختانين

Today, inshā'Allāh تعالى we'll start on the second matter that necessitates Ghusl.

## والتقاء الختانين

والتقاء الختانين — literally that means "the meeting of the circumcised parts" and what it means for our purposes, for our Mustalah, is sexual intercourse. And we have Masā'il under this.

I. The first one is if a man's private parts touch [a woman's] — merely touch, no intercourse, without inserting, and without discharging Manīyy — Ghusl is not Wājib on the wife nor the husband in that scenario, and that's by Ijmā'. Some who related the Ijmā' are Ash-Shawkāni, Ibn Qudāmah, An-Nawawi, Ibn Al-'Arabi, and others.

II. The second scenario or Mas'alah is if a man has intercourse with his wife, meaning he inserts the private parts and he discharges Manīyy, Ghusl is Wājib on both by Ijmā' as well.

III. The third scenario, the third Mas'alah: if a man has sexual intercourse with his wife — he inserts his private parts — but does *not* discharge Manīyy. The difference between this one and the previous one is the previous one he discharged Manīyy. Here, he inserted his private parts but did not discharge Manīyy. The simple correct answer is that Ghusl is Wājib on both as well here. Some related an Ijmā' and some questioned the Ijmā'.

Now that's the simple answer for all three of those Masā'il. The first two have nothing further to be mentioned about them, because the Ijmā' is clear. There is consensus, no disagreement. The last one, I gave the summarized answer for everyone who listens and follows us, but there is a dispute, so let me elaborate on that for the more advanced Talabat Al-'Ilm.

The Ma'salah is does intercourse without the discharge of Manīyy cause major impurity and require one to do a Ghusl?

- The first opinion is that intercourse without the discharge of Manīyy requires Ghusl, and it's the opinion of the four Imāms and the majority of the Sahābah and Ulamā', Abu Bakr, 'Umar, 'Uthmān, 'Ali, and Ā'ishah رضي الله عنهم أجمعين, and a lot of the Fuqahā' and Tābi'īn. Sufyān Ath-Thawri chose it, Ishāq Ibn Rāhaway chose it, and many others.

- The second opinion is that if one has a relationship with his wife, sexual intercourse, but there's no discharge of Manīyy, then Ghusl is not required. And this is the opinion of Dawūd Adh-Dhāhiri. Some of the Dhāhiriyyah accepted it, and there's a statement of Al-Bukhāri رحمه الله تعالى that may hint to this, but that statement is not really clear. That statement is somewhat vague, and it could go both ways. This is attributed to some Sahābah and Tābi'īn as well, but it appears that many of them recanted after they knew it was abrogated. And why is there even a dispute on this matter? There's a dispute on this matter because there's clear Ahādīth in the Sihāh. Clear, authentic Ahādīth, with the clearest terms, stating that

Ghusl is not required from intercourse so long as one does not discharge Manīyy. The overwhelming majority of the Sahābah and Ulamā' said that's abrogated by other proof indicating that Ghusl is Wājib when there's intercourse even if one does not discharge Manīyy. Others, the abrogation may not have reached them.

Now, let's start off with the proof for the wrong, incorrect opinion. The opinion that says that intercourse without discharge of Manīyy does not cause Ghusl, does not cause major impurity and require Ghusl. They used a Hadīth in Sahīh Al-Bukhāri and Muslim. Hadīth Zayd Ibn Khālid Al-Juhani who asked 'Uthmān رضي الله عنه,

أَرَأَيْتَ إِذَا جَامَعَ الرَّجُلُ امْرَأَتَهُ وَلَمْ يُمْنِ

Zayd asked 'Uthmān about a man who has sexual intercourse, but وَلَمْ يُمْنِ, meaning does not reach orgasm, does not discharge Manīyy. 'Uthmān رضي الله عنه said,

يَتَوَضَّأُ كَمَا يَتَوَضَّأُ لِلصَّلاَةِ وَيَغْسِلُ ذَكَرَهُ

He's only required to make Wudū' like he does for the Salāh and then wash his private parts. Not only that, but Uthmān رضي الله عنه states

سَمِعْتُهُ مِنْ رَسُولِ اللَّهِ صلى الله عليه وسلم

'Uthmān goes on to further state, "I've heard that from the Messenger ﷺ." In one of the narrations, Zayd Ibn Khālid, who asked 'Uthmān رضي الله عنه, he said, "I asked 'Ali and I asked Zubayr and I asked 'Ubayy Ibn Ka'b and I asked Talhah — I asked them the same question and they gave the same response to me."

فَسَأَلْتُ عَنْ ذَلِكَ عَلِيَّ بْنَ أَبِي طَالِبٍ وَالزُّبَيْرَ بْنَ الْعَوَّامِ وَطَلْحَةَ بْنَ عُبَيْدِ اللَّهِ وَأُبَيَّ بْنَ كَعْبٍ ـ رضى الله عنهم ـ فَأَمَرُوهُ بِذَلِكَ

He says that I asked 'Ali and Zubayr and Talhah and 'Ubayy Ibn Ka'b and they said the same thing. More than that is Abu 'Ayyūb رضي الله عنه said that he heard the same from the Messenger ﷺ. Abu 'Ayyūb informed others that he heard that from the Messenger ﷺ, in Sahīh Al-Bukhāri. 'Ubayy Ibn Ka'b stated that he asked the Messenger ﷺ about a man who has sexual intercourse with his wife but does not discharge.

يَا رَسُولَ اللَّهِ إِذَا جَامَعَ الرَّجُلُ الْمَرْأَةَ فَلَمْ يُنْزِلْ

The Messenger ﷺ said,

يَغْسِلُ مَا مَسَّ الْمَرْأَةَ مِنْهُ، ثُمَّ يَتَوَضَّأُ وَيُصَلِّي

He, the Messenger ﷺ, replied, "He should wash the private parts which contact the woman's private parts and then perform Wudū and Salāh."

Now we have authentic Ahādīth in Bukhāri and Muslim from a group of Sahābah, 'Ali, Az-Zubayr, Talhah, 'Ubayy Ibn Ka'b, Abu 'Ayyūb, and 'Uthmān رضي الله عنهم أجمين, all stating that Ghusl is not Wājib when one has full intercourse so long as he did not reach orgasm, meaning he did not ejaculate, there was no discharge of Manīyy. And 'Uthmān and Abu 'Ayyūb رضي الله عنهم stated that they heard that from the Messenger ﷺ. And if anything, that shows how dangerous it is for one to think that they can open a book of Hadīth, or even the Qur'ān for that matter, and ignorantly and recklessly use a verse or Hadīth as a proof to their side without knowing the Tafsīr and whether it's abrogated or not, and other matters pertaining to that proof. Some think that they can just skim through Ahādīth, find the Fiqh section of what they're looking for, and use that Hadīth for what they need. In this example, you will find authentic Ahādīth — Al-Bukhāri and Muslim — in the clearest terms, telling you all you need to do is make Wudū when having intercourse so long as there was no discharge of Manīyy, and that's the wrong opinion.

As to those Ahādīth that Ghusl is not required, the ones who disagreed — which is the correct opinion — with this opinion responded in two ways. Some said they're Shādh, and we defined several times what a Hadīth that is Shādh means. They said some of the Ahādīth are Shādh

because they were narrated for example by 'Uthmān and 'Ali and 'Ubayy Ibn Ka'b, who gave Fatwās contrary to that Hadīth. A second, stronger, more correct response is that these Ahādīth were an exemption in the start of Islām and it was abrogated by the ruling that intercourse without discharge causes major impurity and requires Ghusl.

Now the second proof is a Hadīth in Sahīh Al-Bukhāri.

أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم أَرْسَلَ إِلَى رَجُلٍ مِنَ الأَنْصَارِ فَجَاءَ وَرَأْسُهُ يَقْطُرُ، فَقَالَ النَّبِيُّ صلى الله عليه وسلم : لَعَلَّنَا أَعْجَلْنَاكَ. فَقَالَ : نَعَمْ. فَقَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم : إِذَا أُعْجِلْتَ أَوْ قُحِطْتَ، فَعَلَيْكَ الْوُضُوءُ

The Messenger ﷺ summoned a man from the Ansār. When he came, his head was dripping with water. The Messenger ﷺ said, "We might have rushed you." And then the Messenger ﷺ gave the ruling,

إِذَا أُعْجِلْتَ أَوْ قُحِطْتَ، فَعَلَيْكَ الْوُضُوء

In another narration, he said,

إِذَا أُعْجِلْتَ أَوْ أُقْحَطْتَ فَلاَ غُسْلَ عَلَيْكَ وَعَلَيْكَ الْوُضُوءُ

They all mean that if you rushed from intercourse — rushed from intercourse meaning there was no discharge of Manīyy — then Ghusl is not obligatory. The only thing binding is that you have to make Wudū'. And similar to that story, in Sahīh Muslim, is that the Messenger ﷺ went to Bani Sālim, and he stood at the door of 'Itbān, and he called him out. 'Itbān رضي الله عنه came out, dragging his lower garment and the Messenger ﷺ said,

أَعْجَلْنَا الرَّجُلَ

"We rushed this man." And so the man took the opportunity to ask about the ruling on this matter. He said,

يَا رَسُولَ اللَّهِ أَرَأَيْتَ الرَّجُلَ يُعْجَلُ عَنِ امْرَأَتِهِ وَلَمْ يُمْنِ مَاذَا عَلَيْهِ؟ قَالَ رَسُولُ اللَّهِ

صلى الله عليه وسلم : إِنَّمَا الْمَاءُ مِنَ الْمَاءِ

The man, 'Itbān رضي الله عنه, took the opportunity to ask about this Mas'alah. He said, "Does a man have to take a Ghusl, a bath, if he has intercourse with his wife and rushes without the discharge of Manīyy?" The Messenger of Allāh ﷺ said, إِنَّمَا الْمَاءُ مِنَ الْمَاءِ. We explained the actual meaning of this, إِنَّمَا الْمَاءُ مِنَ الْمَاءِ, water is from water, previously. And what it means, for our purposes, our Mustalah here, is that the discharge of Manīyy, is what requires a bath to become obligatory.

And the best response is what we mentioned earlier, that this is abrogated. Abrogated by what? By the proof used by the overwhelming majority of the Sahābah and Ulamā'. Like what? Like the Hadīth in Sahīh Muslim and in Bukhāri. They're authentic as well, and it's also in some of the Sunan with slightly different wordings. The Messenger of Allāh ﷺ said,

إِذَا جَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ ثُمَّ جَهَدَهَا فَقَدْ وَجَبَ عَلَيْهِ الْغُسْلُ

In another narration,

وَإِنْ لَمْ يُنْزِلْ

The wording of the Hadīth إِذَا جَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ, [meaning] if a man sits among the four Shu'ab of a woman — "When a man sits between the four parts of a woman" — شُعَبِهَا الأَرْبَعِ referrs to the sexual setting. The four parts in the statement, شُعَبِهَا الأَرْبَعِ, are possibly her hands and feet. Some Ulamā' said it means her feet and thighs. Some said it was her ankles and thighs. And there are other opinions that An-Nawawi رحمه الله تعالى mentioned. Regardless of all that, it's referring to a man in the sexual setting with his wife. Then the Hadīth says جَهَدَهَا. جَهَدَهَا means exerts himself, which is a euphemism for sexual intercourse. So the Hadīth ends up meaning when a man sits in between the four private parts of his wife and exerts himself, then Ghusl is Wājib. "Exerts himself", like we said,

means sexual intercourse, then Ghusl is Wājib. In another narration there's the addition وَإِن لَمْ يُنزِلْ, "Even if there's no discharge of Manīyy." This Hadīth is in Bukhāri and Muslim and it's clear that Ghusl is Wājib even if one does not discharge Manīyy while having intercourse. We're going to take this step by step. This is proof that Ghusl is Wājib. Wājib for who? One who has intercourse without the discharge of Manīyy. In Sahīh Muslim, Ā'ishah رضي الله عنها said, "A man asked the Messenger ﷺ if Ghusl is Wājib on a man who has sexual intercourse with his wife and parts away without the discharge of Manīyy."

سَأَلَ رَسُولَ اللَّهِ صلى الله عليه وسلم عَنِ الرَّجُلِ يُجَامِعُ أَهْلَهُ ثُمَّ يُكْسِلُ هَلْ عَلَيْهِمَا الْغُسْلُ وَعَائِشَةُ جَالِسَةٌ

The Messenger ﷺ said,

إِنِّي لأَفْعَلُ ذَلِكَ أَنَا وَهَذِهِ ثُمَّ نَغْتَسِلُ

"Me and her do it," meaning, me and Ā'ishah رضي الله عنها do it, "and we take a bath." إِنِّي لأَفْعَلُ ذَلِكَ أَنَا وَ هَذِهِ ثُمَّ نَغْتَسِلُ.

And a side issue is that there's nothing wrong in revealing such matters by the Messenger ﷺ when the purpose is clear that it's to show an essential Islamic Shar'ī ruling by RasūlAllāh ﷺ who's legislating, unlike

when it's mentioned for no purpose or for amusement or for entertainment.

Another proof in Sahīh Muslim which indicates that the Sahābah رضي الله عنهم, for the most part, accepted that Ghusl is Wājib from intercourse even without the discharge of Manīyy. A dispute occurred. Some of the Muhājirīn disputed with some of the Ansār. The group from the Ansār said Ghusl is not Wājib unless there is discharge of Manīyy, unless one ejaculates. They said — this is the group from the Ansār —

لاَ يَجِبُ الْغُسْلُ إِلاَّ مِنَ الدَّفْقِ أَوْ مِنَ الْمَاءِ

The Muhājirīn said when a man has intercourse with his wife then Ghusl is Wājib, whether or not there is an ejaculation. The Muhājirīn said,

إِذَا خَالَطَ فَقَدْ وَجَبَ الْغُسْلُ

Abu Musa رضي الله عنه basically said, "I'll get to the bottom of this." And he headed to Ā'ishah رضي الله عنها to ask about this matter. He asked her permission, and he told her that he has a question that he's shy about. Ā'ishah رضي الله عنها told him, "I'm like your mother. Don't be shy of asking me that which you would ask your birth mother. I'm your mother." She said,

لاَ تَسْتَحْيِي أَنْ تَسْأَلَنِي عَمَّا كُنْتَ سَائِلاً عَنْهُ أُمَّكَ الَّتِي وَلَدَتْكَ فَإِنَّمَا أَنَا أُمُّكَ

Abu Musa then said,

فَمَا يُوجِبُ الْغُسْلَ

"What necessitates Ghusl?" And Ā'ishah رضي الله عنها said,

عَلَى الْخَبِيرِ سَقَطْتَ

عَلَى الْخَبِيرِ سَقَطْتَ means Ā'ishah is telling him you've come to the right person who knows the answer very well, and it was a common term used back then, similar to how you tell somebody when they ask you, and you know that you're fully aware of the answer, you say, "You've come to the right person." Ā'ishah رضي الله عنها used it here. Abu Sa'īd Al-Khudri used it when he was asked about the Izār. Ibn 'Abbās رضي الله عنهم أجمعين used it when he was asked about the Hadiyy. Ā'ishah responded to Abu Musa رضي الله عنهم by mentioning the Hadīth we stated earlier

إِذَا جَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ وَمَسَّ الْخِتَانُ الْخِتَانَ فَقَدْ وَجَبَ الْغُسْلُ

Similar to the Hadīth we mentioned earlier. When a man sits between the four parts of his wife, وَمَسَّ الْخِتَانُ الْخِتَانَ — it [literally] means when the private parts touch, which in reality means when they have sexual intercourse — then Ghusl is obligatory. In the narration, in Muwatta' Mālik, of this Hadīth, Abu Musa said, "I will not ask anyone after this." Meaning, that's it. This is the final answer.

Those are all proofs that Ghusl is Wājib if one has intercourse without the discharge of Manīyy. And I said we're taking this a step at a time. Before that, we mentioned the proof opposing this opinion, that's contrary to this, proofs that give the opposite ruling than this. So how do we know? We have contradicting proof, or what *appears* to be contradicting. That's why I always say *appears*, because authentic proof does not contradict. How do we know it's abrogated and which one is before the other? There are many ways to do that, but in this situation it's been made very easy because there's direct statements from some of the Sahābah who held the first, old opinion. We said 'Ubayy Ibn Ka'b in the Sihāh held the opinion that Ghusl from intercourse without discharge of Manīyy, is not required. But then, in Sunan Abu Dawūd, 'Ubayy Ibn Ka'b said the verdict that الماء من الماء, that Ghusl is necessary when there's discharge of Manīyy, he said that was a concession granted by the Messenger ﷺ in the early days. الماء من الماء, he said that was in the early days where you don't have to do Ghusl if you did not discharge Manīyy during intercourse. 'Ubayy Ibn Ka'b said, "And then he commanded us to take a bath in such cases."

أَنَّ الْفُتْيَا الَّتِي، كَانُوا يُفْتُونَ أَنَّ الْمَاءَ مِنَ الْمَاءِ كَانَتْ رُخْصَةً رَخَّصَهَا رَسُولُ اللَّهِ صلى الله عليه وسلم فِي بَدْءِ الإِسْلاَمِ ثُمَّ أَمَرَ بِالاِغْتِسَالِ بَعْدُ

The fact that a Sahābi like 'Ubayy Ibn Ka'b رضي الله عنه, who used to believe Ghusl is not required after intercourse unless there is discharge, goes on to state in the clearest terms that it's been abrogated by Ghusl being Wājib even if one did not discharge during intercourse. There are other similar Ahādīth like that in Ibn Hibbān, similar to that which I mentioned about 'Ubayy Ibn Ka'b, but they're weak, so there's no need to mention them. To substantiate 'Ubayy Ibn Ka'b's clear statement in Muwatta' Malik, Zayd Ibn Thābit was asked about someone who has intercourse without the discharge of Manīyy. Does he have to do Ghusl? He said one has to do Ghusl. Mahmūd Ibn Labīd Al-Ansāri said 'Ubayy Ibn Ka'b didn't have this view that you have. He had a different opinion. Zayd Ibn Thābit said 'Ubayy Ibn Ka'b recanted that before he died.

Now on top of that some state that there's an Ijmā' on this matter. That might be questionable, even though Ibn 'Abd Al-Barr adopts the correct opinion in this matter — that Ghusl is Wājib even without the discharge of Manīyy, he said he adopts that — but he stated that [saying] there's an Ijmā' is somewhat questionable. Ibn Hajr رحمه الله تعالى also indicated that there was no Ijmā' on the matter.

## Ar-Rājih

The Rājih is what we mentioned in the start for the beginners. The Hadīth indicating the Wujūb of Ghusl are given precedent and the clear statements show the proof not requiring Ghusl was abrogated. Even if a Ijmā' is questioned here, it's very close to being an Ijmā'. Ibn Al-Mundhir said, "I don't know anyone in my time who disputes this." Al-Qādi 'Iyād رحمه الله تعالى said, "After the Sahābah's dispute on this matter, we don't know anyone who said intercourse without ejaculation does not require Ghusl except Al-A'mash and Dawūd Al-Asfahāni" — he means Dawūd Adh-Dhāhiri. Meaning, Dawūd was one who disagreed, and he said most of his followers, most of Dawūd Adh-Dhāhiri's followers, disagreed with him on this matter. An-Nawawi said now there's an Ijmā' on this matter, and he said Dawūd's dispute holds no weight on this matter. Some said yes, during the Sahābah's time there was a dispute, but afterwards it was cleared up and there was no longer a dispute on this matter. An-Nawawi رحمه الله تعالى said that the narrations of Sahābah not agreeing with Ghusl being Wājib when one has intercourse even if he doesn't ejaculate — An-Nawawi said that was mentioned before they knew it was abrogated. Once they disputed, and they sent Abu Musa to ask Ā'ishah رضي الله عنها, they submitted to what she said. And the opinion gains more strength through the verse

وَإِن كُنتُمْ جُنُبًا فَٱطَّهَّرُواْ

Ash-Shāfi'ī رحمه الله تعالى strengthened this opinion in a unique way. He said in the Arabic language, جَنَابَة refers to sexual intercourse, even if one does not discharge Manīyy, even if one does not ejaculate. He said that's like someone who commits

Zina, who commits fornication or adultery والعياذ بالله, he commits Zina but he does not discharge Manīyy. He's considered a Zāni even without the discharge of Manīyy, so long as he had intercourse, and he said likewise, one falls under Janābah with intercourse even if he does not discharge Manīyy.

IV. We can fit another Mas'alah. Let's take another Mas'alah. What constitutes intercourse? We said the private parts touching does not cause major impurity without the discharge of Manīyy of course. But what defines intercourse? The Shar'ī meaning of intercourse? The simple answer for everyone is what the four Imāms said, and that is the insertion of the Hashafah, the insertion of the Hashafah causes major impurity. What's the Hashafah? Hashafah is in English the glans, the glans of the man's private parts, the tip of the man's private part. If it's inserted in the female's private parts, then Ghusl is Wājib. Now, that's a simple answer.

For Talabat Al-'Ilm, the more advanced Talabat Al-'Ilm, some Shāfi'īyyah and a few Hanābilah said if part of the glans is inserted, it's sufficient to cause major impurity. An-Nawawi said that's extremely irregular and weak. They have no proof from the Sunnah for that. Their analogy is possibly saying that, you guys (the correct opinion) are saying inserting the glans takes the ruling of inserting the entire private part of the man. They said the glans is part of the private parts, so any part of the glans, not necessarily the entire glans, if inserted, it takes the same ruling. That's Qiyās, without proof and against the proof.

The proof for the majority of the Ulamā' who say the insertion of the glans is what constitutes intercourse, Shar'ī intercourse, is a Hadīth that we took.

إِذَا جَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ وَمَسَّ الْخِتَانُ الْخِتَانَ فَقَدْ وَجَبَ الْغُسْلُ

We said it means when a man sits between the four parts of his wife's body and they have sexual intercourse, then Ghusl becomes obligatory. Keep in mind the term used in the Hadīth for private parts. In that Hadīth the term used for private parts is Khitān, وَمَسَّ الْخِتَانُ الْخِتَانَ. When I clear up some terms of the Hadīth, this Mas'alah will become clear. وَمَسَّ, we said means to touch, but here it means to insert, to have sexual intercourse. We already explained that in the past. There's another narration that helps substantiate that. A narration in Muwatta' Mālik and in At-Tirmidhi.

إِذَا جَاوَزَ الْخِتَانُ الْخِتَانَ فَقَدْ وَجَبَ الْغُسْلُ

إِذَا جَاوَزَ is more than touching, جَاوَزَ means passes. So that narration إِذَا جَاوَزَ الْخِتَانُ الْخِتَانَ فَقَدْ وَجَبَ الْغُسْلُ, the translation of it is, "When the circumcised part passes the circumcised part, Ghusl becomes Wājib." جَاوَزَ means passes, and it helps explain مَسَّ in the previous narration, meaning it's جَاوَزَ not مَسَّ, meaning it's not just touching. Touching is not taken literally in that Hadīth. It means جَاوَزَ, which means sexual intercourse.

Okay, then the term Khitān. Khitān comes from circumcision. So when it's referring to the private parts in the Hadīth, the Prophet ﷺ used the term Khitān. It's referring specifically to the circumcised portion of the man's private parts. There's another narration some authenticated in Sunan Ibn Mājah,

إِذَا الْتَقَى الْخِتَانَانِ وَتَوَارَتِ الْحَشَفَةُ فَقَدْ وَجَبَ الْغُسْلُ

When the two circumcised parts meet وَتَوَارَتِ الْحَشَفَةُ — this is the addition in this narration, وَتَوَارَتِ الْحَشَفَةُ — and the glans, the tip, disappears, meaning in the woman's private parts, then Ghusl is Wājib. The fact that the Hadīth in Sahīh Muslim,

إِذَا جَلَسَ بَيْنَ شُعَبِهَا الأَرْبَعِ وَمَسَّ الْخِتَانُ الْخِتَانَ فَقَدْ وَجَبَ الْغُسْلُ

The fact that it refers to a man's private parts as ختان, the portion of the man's private part that's circumcised, that shows that the insertion of that portion is sufficient to cause major impurity and require Ghusl. It gains strength by the other narrations that some authenticated, وَتَوَارَتِ الْحَشَفَةُ, "And the tip, the glands disappears in the woman's private parts."

Okay, let's take a summary for what we took today. First of all, the first scenario: if the private parts of spouses touch without inserting and without discharge of Manīyy, Ghusl is not Wājib on the wife nor is it a Wājib on the husband. Second of all, if a man has intercourse with his wife and he discharges Manīyy, it causes major impurity and

Ghusl is Wājib. Third Mas'alah: if a man has sexual intercourse with his wife but does not discharge Manīyy, Ghusl is Wājib on both. The fourth Mas'alah we took: the mere insertion of the Hashafah which is the glans, the tip of the man's private parts, if that's inserted — the tip, the circumcised part, the Hashafah — that's sufficient to cause major impurity and require Ghusl, and we'll stop here.

وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم